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## PUBLIC STATEMENT OF TAMMY MANZINI

2 MS. MANZINI: My name is Tammy Manzini, and I  
3 am the Program Coordinator for the Lander County Yucca  
4 Mountain project. And on behalf of the Lander County  
5 Board of Commissioners I am submitting the following  
6 comments.

7 Lander County has participated in oversight  
8 and monitoring activities of the Yucca Mountain project  
9 since 1992. We appreciate DOE's willingness to provide  
10 public comment opportunities for this Draft Environmental  
11 Impact Statement. Lander County is in the process of  
12 completing an entire review of the DEIS and will submit  
13 extensive written comments by the deadline date.

14 My comments today are based upon our initial  
15 review of the DEIS and focus on some of the key aspects of  
16 the analysis in the documents beginning with the  
17 transportation impact analysis.

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18 On page 1-3, the DEIS states:

19 "Although it is uncertain at this time  
20 when DOE would make any transportation-related  
21 decisions, DOE believes that the EIS provides  
22 the information necessary to make decisions  
23 regarding the basic approaches (for example,  
24 mostly rail or mostly truck shipments), as  
25 well as the choice among alternative  
1 transportation corridors."

2 With respect to alternate rail corridors to  
3 Yucca Mountain, it is questionable whether DOE even has  
4 the authority to select such a corridor given that the

1

5 majority of lands within the various alternative corridors  
6 are public lands under the management authority of the  
7 Bureau of Land Management.

8 It is at least arguable that the selection of  
9 rail route alternatives and specific alignments are  
10 subject to BLM's own environmental review and permitting  
11 process because they ultimately have the authority to  
12 grant a right-of-way for construction and operation.

13 We are uncertain as to what level of review  
14 or consultation took place with BLM as the alternative  
15 corridors were being developed. It does not appear that  
16 they are a cooperating agency.

17 The Final EIS should explain efforts to  
18 coordinate the review and selection of a proposed  
19 alternative route with BLM.

2 20 Contrary to the statements made on page 1  
21 through 3, the DEIS does not provide sufficient site  
22 specific analysis of impacts which would allow for a  
23 detailed comparison among route alternatives and  
24 ultimately the selection of one alternative corridor. The  
25 DEIS contains a host of generalized statements about  
1 resources and potential impacts along alternative --  
2 alternate rail corridors.

3 3 Finally, it does not appear from the  
4 evaluation in the DEIS that the risks associated with rail  
5 transportation is less than the risks associated with  
6 truck transportation. Under the truck transportation  
7 alternative, more than a hundred thousand individual truck

8 shipments will be made to Yucca Mountain compared to  
9 approximately 25,000 rail shipments. A Yucca Mountain  
10 DEIS which is constructed to support a decision to choose  
11 one modal option over the other appears contrary to  
12 current DOE transportation planning guidance and policy  
13 direction.

14 Recently, DOE issued its draft request for  
15 proposal for the acquisition of waste acceptance and  
16 transportation services for the Office of Civilian  
17 Radioactive Waste Management, otherwise known as the  
18 privatization proposal. Under this proposal, private  
19 shipping companies called regional servicing contractors  
20 would be selected to transport waste from generator sites  
21 to Yucca Mountain. As proposed, the regional servicing  
22 contractor would make modal and route decisions with  
23 guidance from DOE. In effect, regional servicing  
24 contractors could use multiple routes and modes for waste  
25 shipments.

1 This approach seems somewhat inconsistent  
2 with the impact results and the approach taken in the DEIS  
3 where one modal option is compared against the other.  
4 Furthermore, DOE limited its discussion of highway  
5 transportation routes to one, I-15.

6 The final EIS should clarify the policy  
7 direction DOE intends to take and describe how that policy  
8 direction will be reflected in future Yucca Mountain  
9 transportation logistics and planning.

4 10 Although transportation constitutes a major  
11 and potential adverse impact to Lander County residents,

5... 12 the central issue of a repository and ultimately the  
13 decision by the Secretary of Energy to recommend the site  
14 to the President and the Congress rests squarely on the  
15 performance of Yucca Mountain and its ability to contain  
16 radioactive materials. Lander County questions whether  
17 DOE has the capability to predict repository performance  
18 with any degree of assurance. At the time the DEIS was  
19 written, DOE did not have an acceptable performance  
20 assessment process in place. This is an observation made  
21 by most technical oversight groups involved in the Yucca  
22 Mountain project.

23 Pages 2 through 86 of the DEIS states:

24 "DOE believes, however, that sufficient  
25 information is currently available to assess  
1 the range of impacts that could result from  
2 either the proposed action or the no action  
3 alternative."

4 Again, the ability to predict environmental  
5 impacts relies on the ability to predict how the  
6 repository will perform. The completion of the Draft EIS  
7 roughly paralleled the completion of DOE's viability  
8 assessment. Assuming the scientific understanding was  
9 roughly similar, we believe the comments made by oversight  
10 groups with respect to the performance assessment in the  
11 viability assessment are applicable to the DEIS. With  
12 respect to the current ability to predict repository  
13 performance, the Total Systems Performance Peer Review  
14 Panel noted:

5...

15            "The objective that Congress defined for  
16            the TSPA-VA was to assess 'the probably behavior  
17            of the repository.' Judged on that basis, the  
18            panel finds that a number of the components of  
19            the TSPA-VA analysis were not supported by  
20            adequate evidence that they are representative  
21            for the systems, components, and process they  
22            were designed to simulate. For these reasons  
23            it is unlikely that the TSPA-VA, taken as a  
24            whole, describes the long-term probable behavior  
25            of the proposed repository. In recognition of  
1            its limitations, decisions based on the TSPA-VA  
2            should be made cautiously."

3            That was the final report from TSPA Peer  
4            Review Panel, page 1.

5            These same concerns were echoed by the  
6            Nuclear Waste Technical Review Board. In their report  
7            entitled Moving Beyond the Yucca Mountain Viability  
8            Assessment the NWTRB noted:

9            "Judging the realism of the 'bottom  
10            line' TSPA estimates of repository performance  
11            in the VA is difficult because some of the  
12            underlying assumptions may be overly conservative  
13            and others may be nonconservative. This is due  
14            in large part to a general lack of data that  
15            support many of the critical assumptions in the  
16            mathematical models."

17            These observations made by technical  
18            oversight groups call into question whether DOE currently

5... 19 has the ability to predict performance and hence the  
20 potential environmental impacts of the repository. If  
21 this is the case, we question whether the DEIS in its  
22 current form could support the decision by the Secretary  
23 of Energy to recommend the site to the President and  
24 Congress, unfortunately, in that the completion of the EIS  
25 process is being driven more by schedules than the ability  
1 to support decisions with strong technical analysis.

6 2 [ For this reason, DOE needs to consider  
3 reissuing a Draft EIS when the ability to predict  
4 performance can support the environmental impact analysis  
5 and ultimately a decision to recommend the Yucca Mountain  
6 site for geological disposal. ]

...5 7 [ Furthermore, the analysis in the DEIS cannot  
8 be based upon conceptual designs particularly when such  
9 concept, design alternatives -- particularly when such  
10 concepts (design alternatives) have not been utilized or  
11 proven to work. ]

7 12 [ Based upon our preliminary review, the  
13 cumulative impact analysis in the DEIS appears to have  
14 ignored past above ground nuclear weapons testing and its  
15 health effects combined with other proposed activities  
16 such as the transportation of radioactive materials.  
17 Lander County is an area which has been affected by the  
18 weapons testing program as evidenced by its designation as  
19 a downwind community. The EIS needs to consider the  
20 cumulative public health effects. The analysis in section  
21 8.4.1.2 needs to be duplicated for section 4.2 and include

22 past above ground weapons testing programs in the  
 23 analysis.

8... 24 Finally, the following issues need to be  
 25 addressed and thoroughly analyzed concerning direct

1 impacts to Lander County in a detailed manner: real  
 2 estate property value impact; tourism impacts; <sup>9</sup>aesthetics  
 3 effect; <sup>10</sup>the wildlife migration impacts due to fencing; <sup>11</sup>the  
 4 wilderness areas; <sup>8...</sup>the shortage of law enforcement officers  
 5 in Southern Lander County, of which the whole southern end  
 6 of the county has two law enforcement officers;

7 socioeconomical impacts; <sup>12</sup>earthquakes, flood areas, <sup>13</sup>bad  
 8 weather and high wind areas; <sup>14</sup>the lack of medical  
 9 facilities in Southern Lander County, the closest hospital  
 10 being 90 miles away in Battle Mountain; emergency response  
 11 training and personnel; <sup>...8</sup>mining impacts; ranching and  
 12 grazing allotment impacts; fishing, hunting and  
 13 recreational impacts, which is a major source of revenue  
 14 for Southern Lander County; <sup>15</sup>military overflights and other  
 15 federal agency interactions; <sup>16</sup>shared use of the proposed  
 16 rail route; finally rail crossings over highways, how  
 17 would they be established.

18 And I want to thank you for accepting Lander  
 19 County's initial review comments, and a copy of this  
 20 testimony will be submitted for your records. Thank you.